

REMARKS

In response to the Final Office Action mailed on July 31, 2006, the Advisory Action mailed on September 14, 2006, and the telephone interview with the Examiner on September 20, 2006, the Applicant has canceled claims 1-8, 11-13, 23-27, 29-31, 37 and 39-42, and has amended claims 9, 28, 38 and 43 into independent form. Accordingly, claims 9, 14-22, 28, 32-36, 38 and 43 are pending and claims 9, 14, 19, 28, 32, 35, 38 and 43 are the independent claims.

In the September 20, 2006 interview the Applicant and the Examiner discussed various claims with respect to the cited references. While no agreement was reached with respect to the patentability of any of the claims, the Applicant and Examiner agreed as follows (1) Applicant will cancel some of the claims without prejudice or disclaimer thereto, (2) Applicant will reduce the arguments presented without prejudice or disclaimer thereto, and (3) Examiner will enter the amendments after final and give the arguments fair consideration as thorough consideration was not provided in the initial response after final due to the number of claims and amount of arguments.

While Applicant believes that all of the previously pending claims were patentable over the cited references and that all of the arguments with respect to patentability were valid, the Applicant agreed to cancel the claims and reduce the number of arguments presented in order to expedite the prosecution of the application.

§102/§103 Rejection of the Claims

Claims 1-10, 13-15, 18-20, 22-28, 31, 35-39, and 41-44 were rejected under 35 USC § 102(b) as being anticipated by *Brandis et al.* (U.S. Patent 6,654,343 B1). Claims 11, 12, 29, 30 and 40 were rejected under 35 USC § 103(a) as being unpatentable over *Brandis et al.* in view of *Lakshmanamurthy et al.* (U.S. Publication 2004/0004961 A1). Claims 16, 17 and 21 were rejected under 35 USC § 103(a) as being unpatentable over *Brandis et al.* Claims 32-34 were rejected under 35 USC § 103(a) as being unpatentable over *Brandis et al.* in view of well known art. Claims 1-8, 11-13, 23-27, 29-31, 37 have been canceled. The rejection of claims 9, 14-22, 28, 32-36, 38 and 43 is respectfully traversed.

It is submitted that each of the independent claims 9, 14, 19, 28, 32, 35, 38 and 43 recite something along the lines of a flow control hub with a message generator or generating flow control messages based on a flow control status maintained in a scoreboard memory. For example,

- claim 9 recites “a message generator to generate a flow control message for a particular flow based on the flow control status maintained in said scoreboard memory device for the particular flow”;
- claim 19 recites “generating a flow control message for the selected flow based on the flow control status maintained in the memory device for the selected flow”;
- claim 32 recites “a flow control hub to receive flow control messages from the egress ports, maintain a flow control status for each flow based on the received flow control messages, select a next flow having a flow control status to process, and generate and forward flow control message to queue associated with the selected flow”;
- claim 35 recites “a flow control hub to receive the flow control messages from the egress ports, to record a flow control status for an associated flow in a scoreboard memory based on the received flow control message, to discard the received flow control message subsequent to recording the flow control status, to select next flow having a valid flow control status to process, to generate a flow control message for the next flow, and to forward the generated flow control message to ingress ports associated with the next flow”; and
- claim 38 recites “a dequeuing device to select a next flow having a flow control status to be processed, to generate a flow control message based on the next flow control status, and to forward the generated flow control message to associated ingress ports”.

The Applicant submits that none of the cited references disclose or suggest such a feature. In the Final Office Action, the Examiner contends that *Brandis et al.* disclose this feature at col. 9, lines 8-11. The Applicant respectfully submits that this contention is clearly erroneous. This passage simply states that flow control messages are generated by the flow control logic and sent to the ingress and may change priority of the flow based on the egress queues. These flow control messages are clearly generated by the egress based on the status of

the queues and are not generated based on a flow control status that is maintained in the scoreboard memory that tracks the status of each flow based on flow control message received from the egress, as required by the claims. The Examiner does not rely on the other references for disclosing or suggesting this feature.

Each of the independent claims is submitted to be patentable over the cited references for at least the reason noted above. The claims that depend from these independent claims are submitted to be patentable for at least the reasons advanced with regard to the independent claims as well as for the further features recited therein.

Additionally, some of the claims recite something along the lines of a flow control hub for maintaining flow control status and generating flow control messages that is unique from the ingress and egress ports. For example, see claims 32 and 35. The Applicant submits that none of the cited references disclose or suggest this feature. For at least this additional reason these claims and those that depend therefrom are submitted to be patentable over the cited references.

The Applicant submits that the rejection of claims 9, 14-22, 28, 32-36, 38 and 43 should be withdrawn.



AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116
Serial Number: 10/622,806
Filing Date: July 18, 2003
Title: FLOW CONTROL HUB HAVING SCOREBOARD MEMORY

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (215-230-5511) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3228.

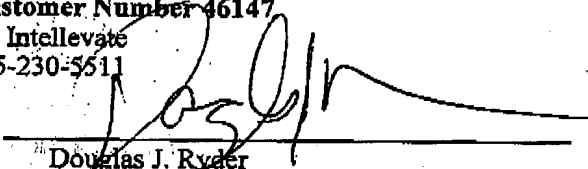
Respectfully submitted,

JAISIMHA BANNUR ET AL.

By their Representatives,

Customer Number 46147
c/o Intellevate
215-230-5511

Date September 28, 2006

By 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th day of September, 2006.

Shellie Bailey


Signature